

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Harold W. Oakes

v.

Case No. 12-cv-298-LM

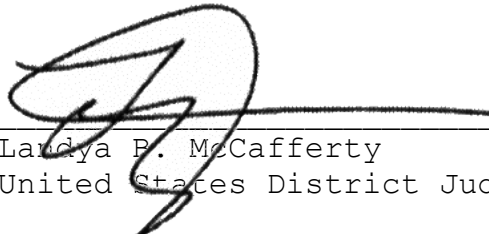
Edward Reilly, Warden, Northern NH  
Correctional Facility

O R D E R

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated February 11, 2015, for the reasons set forth therein. Respondent's Motion for Summary Judgment (document no. 24) is granted. Mr. Oakes' § 2254 Petition for Writ of Habeas Corpus is hereby denied (document no. 1).

Additionally, finding that the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

  
\_\_\_\_\_  
Landya P. McCafferty  
United States District Judge

Date: February 24, 2015

cc: Mark L. Sisti, Esq.  
Elizabeth C. Woodcock, Esq.